Docket No.: END920000075US1

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: Gerard Vahee et al.

Group Art Unit: 3689 : IBM Corporation

Examiner: Vanel Frenel : Intellectual Property Law

Serial No.: 09/660,852 : Department SHCB/040-3

Filed: 09/13/2000 : 1701 North Street

Confirmation No. 7942 : Endicott, New York 13760

Title: PROJECT MANAGEMENT
METHOD AND SYSTEM

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action dated 11/28/2008, Appellants provide the following Appeal Brief.

# APPEAL BRIEF

### (i) REAL PARTY IN INTEREST

The real party in interest is International Business
Machines Corporation, a corporation of New York, with a place of
business at Armonk, NY 10504.

## (ii) RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences with which the undersigned is aware.

# (iii) STATUS OF CLAIMS

Claims 1 - 8, 10 - 12 are pending in the present application. Claims 1 - 8, 10 - 12 have all been finally rejected and are the subject matter of this appeal.

## (iv) STATUS OF AMENDMENTS

There are no amendments filed subsequent to the final rejection of 11/28/2008.

# (v) SUMMARY OF CLAIMED SUBJECT MATTER

The present invention deals with management of projects in a company or organization. Embodiments of a method, system, tool, and computer program product for performing project management are separately claimed in independent claims 1, and 7 - 8, 10 - 12 as described below.

Independent claim 1 recites a process for managing a project (Specification page 1, lines 10 - 20, page 2, lines 15 - 16, page 3, lines 6 - 20, and page 6, lines 7 - 8). A project END920000075US1 09/660,852

management data model must be built. The data model must have entities and relationships described by text and graphical data (page 6, lines 15-25). The data model including the text and graphical data is entered into a relational database (page 6, line 26, to page 7, line 14). Claim 1 also requires that a project management tool for a project for production of a product or providing services be built. The tool has web pages built from the text and graphical data (page 7, lines 15-24, page 8 lines 5-10). Hyperlinks are generated in the web pages of the tool based on the relationships in the relational database (page 7, lines 25-26). The tool is then used to manage the project (page 7, lines 27-page 8, line 4).

Dependent claim 5, dependent directly from claim 1, further requires that the project management data model which must be built in claim 1, comprise a project definition process, a change management process, a risk management tool, and an issue management tool (FIG. 3, 30, and page 9, lines 9-29).

Independent claim 7 is directed to providing a solution for meeting a business need for a process for production of a product or providing services. A business need is defined. A project management data model is built in response to the need, as in claim 1. All of the remaining limitations recited in claim 7 are identical to those of claim 1, except in the final step, the project management tool is operated to provide the solution which meets the need. The specification and figure references for the steps of claim 1, above, also apply to identical limitations recited in claim 7, as well as claims 8 and 10 - 12 below. To avoid being unnecessarily repetitive, END920000075USI

these references are not specifically stated in the description of each of these claims.

Independent claim 8 is directed to a system embodiment of the present invention, for project management (page 8, line 11, to page 10, line 11, and FIGs. 2 and 3). The elements of the system in claim 8 correspond to the steps of claim 1.

Independent claim 10 is similar to claim 8 but is directed to a system for managing (a plurality of) projects within an enterprise. In particular, claim 10 includes computer means for operating the tool and the data model to manage the projects within the enterprise. This is the same function in the last method step of claim 1, referring to Appellants' Specification (page 7, line 27, to page 8, line 4). Computer means are claimed in system claim 10 for performing this function.

The use of computer means for operating a tool and a data model is conventional and well known art and therefore need not be disclosed in detail. (See MPEP 2163, II, 3, a, paragraph 7.) Furthermore, where software constitutes part of a best mode of carrying out an invention, description of such a best mode is satisfied by a disclosure of the functions of the software. Thus, flow charts or source code listings are not a requirement for adequately disclosing the functions of the software. (See MPEP 2163, I, A, paragraph 2.)

Independent claims 11 and 12 are directed to a project management system similar to claim 8, but specifically implemented on a computer system or as a computer program END920000075US1 09/660,852

product, respectively. In light of the MPEP citations above, independent claims 11 and 12 are adequately explained by reference to the respective method steps of parallel claim 1. The computer means of each element of claim 10 and the program instruction means of each element of claim 11 performs the corresponding function, one for one, of each step in method claim 1. Reference to Appellants' Specification for each step is given above for claim 1.

## (vi) GROUNDS OF REJECTION

There is only one ground of rejection. Claims 1 - 8, 10 - 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lungren (6,092,050) in view of Sanders (6,411,936).

## (vii) ARGUMENT

Claims 1 - 8, 10 - 12 are patentable under 35 U.S.C. 103(a) over the prior art and particularly, U.S. Patents 6,092,050 (Lungren) in combination with U.S. Patent 6,411,936 (Sanders).

The combination of Lungren with Sanders does not describe or suggest all of the required steps of Appellants' claim 1. Appellants therefore respectfully disagree with this rejection and offer the following arguments in support thereof.

The Examiner correctly states that Lungren does not describe building a project management tool for a project for production of a product or providing services having web pages from said text and graphical data. The Examiner states that Sanders suggests this in FIG. 10; column 13, lines 8 - 65; column 21, line 66 to column 22, line 7. However, Sanders does END920000075US1 09/660,852

not suggest this. First of all, FIG. 10 is not a project management tool at all. It can best be described as a value enhancement solution generator for an enterprise. Nowhere in column 13, which describes FIGs. 10 - 12, is there any suggestion of a project management tool. Nor is there any suggestion of a project management tool in columns 21 - 22. Sanders simply does not address a project management tool, much less building one as required by claim 1.

Knowledge management is defined by Sanders (column 2, line 30 - 34) as a discipline promoting an integrated approach to identifying, managing, and sharing all of the information assets in the enterprise... . In contrast, Applicants' claim 1 requires building a project management tool for a project for production of a product or providing services. Applicants define a project in their Specification page 1, lines 12 - 15, as having activities called processes. A project management system is used to monitor, regulate, control, and coordinate the processes (activities), with an objective of accelerating a product development schedule, maximizing efficiency of resource utilization, minimizing development cost, resulting product cost or any other defined criteria. While information or knowledge may be used in any human endeavor, including, of course, project management, the broad description of information assets and knowledge referred to in Sanders is clearly not the specific activities of a project for production of a product or providing services as required by Appellants' claim 1. Sanders states (column 2, lines 35 - 38) that knowledge management manages and improves the organizational learning process. He does not state or suggest that his knowledge management processes by themselves END920000075US1 09/660,852 can be used to perform project management where the project is for production of a product or providing services. Appellants maintain that Sanders does not describe or suggest this important requirement of their claim 1.

It is not obvious that the knowledge management subject matter of Sanders in capable of performing the project management of Appellants' claim 1. For example, it is not obvious how the knowledge management system of Sanders could be used to manage the activities of a project for production of a product or providing services. The Examiner errs in stating that Sanders teaches this requirement of claim 1.

Regarding independent claim 1, the Examiner correctly states that Lungren does not disclose entering said project management data model in a relational database. The Examiner then states that Sanders suggests this in column 2, lines 40 - 56. However, Sanders does not describe or suggest this. What Sanders suggests is that knowledge management systems facilitate the collection, organization and transfer of knowledge aided by search engines, relational and object databases, GroupWare and other technologies. So Sanders states that knowledge management systems are aided by relational databases in facilitating the collection, organization and transfer of knowledge. He does not suggest that a project management data model is entered in a relational database.

The Examiner also states that he relied on Sanders FIGs. 4
- 5 and column 2, lines 24 - 67, column 9, lines 10 - 67, and column 10, lines 3 - 67, which he states without further END920000075US1 09/660,852

explanation, correspond to Appellants' claim 1 feature of entering said project management data model into a relational database. However, the subject matter in these cited parts of Sanders would to allow one of ordinary skill in project management to know how to build a project management data model or build a project management tool as required by Appellants' claim 1, and therefore clearly does not suggest entering a project management data model in a relational database. The Examiner also errs in stating that Sanders suggests this.

Claim 1 also requires generating hyperlinks in the web pages of the project management tool based on the relationships in the relational database into which the project management data model was entered. The Examiner incorrectly states that Sanders suggests this and again cites FIG. 10; column 13, lines 8 - 65; column 21, line 66, to column 22, line 7. As stated above, there is no suggestion of a project management tool here, and certainly no suggestion of generating hyperlinks in the web pages of such a tool based on the relationships in the relational database into which the project management data model was entered

Claim 1 is therefore allowable over the combination of Lungren and Sanders because neither independently or when taken together describes or suggests these three important steps of claim 1.

Appellants' independent claims 7, 8, 10, 11, and 12 recite limitations similar to claim 1 above. These claims are allowable for the same reasons as argued above for claim 1. END920000075US1 09/660,852

All of the remaining claims depend directly on allowable claim 1 and are therefore also allowable.

Appellants' position, therefore, is that rejection of the pending claims is in error and must be withdrawn. All of the claims are allowable under 35 U.S.C. 103(a) over Lungren in view of Sanders.

In view of the above, Appellants respectfully request that the Board reverse the Examiner's final rejection of all of the claims on appeal, and allow these claims.

Respectfully submitted,

Dated: 03/37/2009 by: /John Pivnichny/

John R. Pivnichny Reg. No. 43,001

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### (viii) CLAIMS APPENDIX

1. A process for managing a project, comprising the steps of:

building a project management data model having entities and relationships described by text and graphical data;

entering said project management data model in a relational database:

building a project management tool for a project for production of a product or providing services, having web pages from said text and graphical data;

generating hyperlinks in said web pages of said tool based on said relationships in said relational database; and

using said tool to manage said project.

- 2. The process of claim 1, wherein said text includes guidance based on experience.
- 3. The process of claim 1, wherein said text has been entered in a word processor.
- 4. The process of claim 1, wherein said graphical data is entered in an image processing application program.
- 5. The process of claim 1, wherein said project management data model comprises a project definition process, a change management process, a risk management tool, and an issue management tool.

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- 6. The process of claim 1, further comprising the step of parsing said text data by adding tags identifying the nature, beginning, and end of said entities described by text data and storing said parsed text data in said relational database.
- 7. A business process for transforming a business need into a strategy for providing a solution which meets said need, comprising the steps of:

defining said business need, wherein said need is for a process for production of a product or providing services;

building in response to said business need, a project management data model having entities and relationships described by text and graphical data;

entering said project management data model in a relational database:

building a project management tool comprising web pages from said text and graphical data;

generating hyperlinks in said web pages of said tool based on said relationships in said relational database; and

operating said tool to provide a solution which meets said need.

- 8. A system for project management, comprising:
- a project management data model for a project for a process for production of a product or providing services, said model having entities and relationships described by text and graphical data;

a relational database containing said model; END920000075US1

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a project management tool having web pages generated from said text and graphical data;

hyperlinks in said web pages of said tool based on said relationships in said relational database; and

computer means for operating said tool and said data model to manage a project.

- 9. Cancelled.
- 10. A system for managing projects within an enterprise, comprising:

a project management data model for a project for a process for production of a product or providing services, said model having entities and relationships described by text and graphical data;

a relational database containing said model;

a project management tool having web pages generated from said text and graphical data;

hyperlinks in said web pages of said tool based on said relationships in said relational database; and

computer means for operating said tool and said data model to manage said projects within said enterprise.

11. A project management system implemented on a computer system, said project management system comprising:

means for building a project management data model for a project for a process for production of a product or providing services, said model having entities and relationships described by text and graphical data;

means for entering said project management data model in a relational database;

means for building a project management tool comprising web pages from said text and graphical data;

means for generating hyperlinks in said web pages of said tool based on said relationships in said relational database; and

means for using said tool to manage said project.

12. A computer program product for instructing a processor to provide a method of project management, said computer program product comprising:

a computer readable medium;

first program instruction means for building a project management data model for a project for a process for production of a product or providing services, said model having entities and relationships described by text and graphical data;

second program instruction means for entering said project management data model in a relational database;

third program instruction means for building a project management tool comprising web pages from said text and graphical data;

fourth program instruction means for generating hyperlinks in said web pages of said tool based on said relationships in said relational database; and

fifth program instruction means for using said tool to manage said project; and wherein

all said program instruction means are recorded on said medium.

# (ix) EVIDENCE APPENDIX

The following evidence was submitted pursuant to \$1.131 in the present application

Exhibit A - IBM invention disclosure SMS819990016.

Item 1 - a copy of a screen shot of IBM's internal Worldwide  $Project\ Management\ Method\ web\ site.$ 

Item 2 - a copy of an electronic message (note) from IBM employees Sue Davies to John Wilson dated 8/12/99 (European date is 12/8/99).

Item 3 - a copy of an electronic message (note) from IBM employees Scott Wagert to Susan Iverson dated 11/19/99.

 $\label{eq:local_total} \mbox{Item 4-a copy of electronic message (note) from IBM} \\ \mbox{employees Elyse Anchell to David Harris dated } 11/24/99.$ 

# (x) RELATED PROCEEDINGS APPENDIX

None.

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### Disclosure SMS8-1999-0016



Created By: Mark Goebel Created On: Last Modified By: Arthur Haviland Last Modified On:

\*\*\* IBM Confidential \*\*\*

#### Summary

Required fields are marked with the asterisk (\*) and must be filled in to complete the form .

Status	Under Evaluation
Original Location	SMS
Processing Location	END
Functional Area	GS-(HEALD) IBM Global Services
Attorney/Patent	John Pivnichny/Endicott/IBM
Professional	
IDT Team	Richard Malek/Endicott/IBM, Rob Edwards/Endicott/IBM, Robert L King/Endicott/IBM; Jon B.
	Martens/Endicott/IBM
Submitted Date	
Owning Division	GS
PVT Score	To calculate a PVT score, use the 'Calculate PVT' button.
Incentive Program	
Lab	
Technology Code	

#### Inventors with Lotus Notes IDs

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#### IDT Selection



#### Main Idea

Title of declosure (in English) Worldwide Project Management Method (WWPMM)

### Titles of disclosure

1. Describe your invention, stating the problem solved (if appropriate), and indicating the advantages of using the invention.

IBM has invested in defining a common approach to the management of projects in order to gain the following benefits:

- having a reference point that defines a good practice that, when implemented, reduces project risk;
- improved capability to staff projects from any part of the organization without prolonged learning;
- increased sharing and learning from experience by helping all members of the IBM PM community to use the same vocabulary; and
- reduction in development effort by having a common underlying structure for tools and education

The new worldwide method is intended to address the issues of productivity by providing a "consistent approach" to managing projects within IBM. The Method will be utilized on internal, as well as externally managed projects by IBM.

The Worldwide Project Management Method (WWPMM) is the name used to describe IBM's worldwide project management methodology, which defines the way we manage projects in IBM. WWPMM, which is sponsored by the Project Management Center of Excellence, is a response to the Corporate Executive Council (CEC) action to establish a single, common project management method for IBM projects worldwide.

WWPMM is derived from a number of IBM project management best practices including Project Management Method Version 1 (PMM) and other recognized industry standards such as the Project Management Institute (PMI) PM Body of Knowledge (PMBOK), Software Engineering Institute (SEI) and the International Standards Organization (ISO). Influences from IBM's existing business processes, Integrated Product Development (IPD) and Customer Relationship Management (CRM), were incorporated into this method. WWPMM should be used as a reference to strengthen IBM.s project management practices providing a single reference point of PM practice.

WWPMM describes a broad model for project management activities, which must be adapted to the features of each particular project. The model facilitates the sharing of project management knowledge and experience, improves identification and usage of best practices, and improves project results through avoidance of common pitfalls. WWPMM should be used as a reference to strengthen project management practices providing a single reference point of PM practice. This approach includes typical:

- PM Domains: the basic Project Management processes arranged by domain which are similar to the PMI Knowledge Areas
- PM Work Products: the items which are manipulated by the processes and which a project manager uses to manage the project
- PM Work Patterns: a series of scenarios which link the processes to help the project manager achieve day to day operations

In addition to an on-line version of the WWPMM content browser (URL http://pmmethod.somers.hqregion.ibm.com/), a CD-ROM based version will also be available.

There will be continuing efforts to imbed this reference material into the tools and management systems that the project management community uses. Toward this end, a core set of procedures and work product templates (referred to as 'PM System Starter Set') will be published early next year. These materials, when used with appropriate tools and management systems, provide a quick start for projects and project management activities. Business units, competencies or business processes may tailor these to their management systems so that individual project managers will have an even more focused 'starter set' available to them.

<sup>2.</sup> How does the invention solve the problem or achieve an advantage, (a description of "the invention", including figures inline as appropriate)?

This new method combines the best practices of IBM project management and provides a consistent

"common method" worldwide. It addresses all items outlines in item 1 of this disclosure.

3. If the same advantage or problem has been identified by others (inside/outside IBM), how have those others solved it and does your solution differ and why is it better?

There has been no common approach to project management across all areas of IBM, only regional or a constituency approaches. This is the first worldwide approach.

4. If the invention is implemented in a product or prototype, include technical details, purpose, disclosure details to others and the date of that implementation.

Timetable as follows:

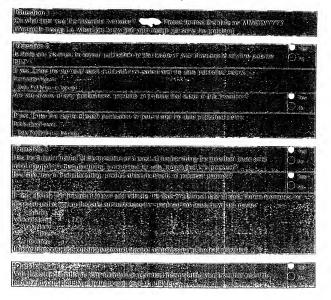
Announcement scheduled -

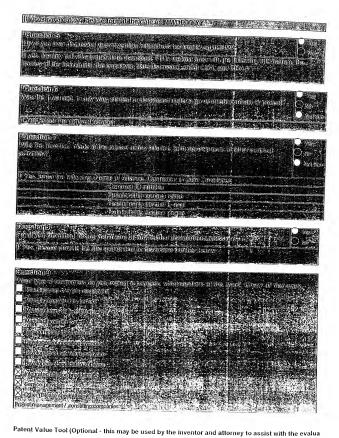
CD-ROM available - :
Distance leaning education module available (Knowledge Refresh);

WWPMM version. 2 (PM System Starter Set)

Worldwide Deployment and implementation begins

\*Critical Questions ( Questions 1 - 7 must be answered)





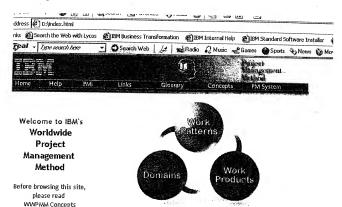
(The Patent Value tool can be used by you or the evaluation team to determine the potential licensing value of your invention.)

The Patent Value Tool has not yet been used to calculate a score.

Post Disclosure Text & Drawings

Enter any additional information relating to this disclosure below:

(Form Revised 12/17/97)



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Click an entry point to explore a subject

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---- Forwarded by Liliane Lafuite/France/IBM on 03/11/2004 16:38 ----

Sue Davies@IBMGB 12/08/99 19:19

To: John Wilson/Mount Pleasant/Contr/IBM@IBMUS

John Palmer/Mount Pleasant/IBM@IBMUS, Paris Team, David Harris/UK/IBM@IBMGB, Mark

From: Goebel/Atlanta/IBM@IBMUS
Sue Davies/UK/IBM@IBMGB

Subject: WWPMM Web-site

John.

Thanks for the web site information. I have had a look at this, the navigation is fine, exactly what we expected ( except for the links from Concepts to Glossary, which we've already discussed). There is a problem with links from one Work Pattern to another, where the original diagram seems to be retained, but

perhaps this has not yet been fully developed.

I have a number of concerns about the contents, which are perhaps premature, as it's under development, but you can ignore any comments on problems you know about and are fixing

By far the most serious, and Doug says this is is intentional, is the removal of all identifiers from all WWPMM objects. So where we have ChM.20.10. Approve changes, you have only Approve changes. This completely loses all reference to the structure of WWPMM While the hot-links correctly take you to the right process, work pattern or work product, you have no idea where you are going I understand this was planned, if so, David, please may I raise this as a very serious issue.

The development team were not aware of this, and I feel it is totally against John Palmer's declared objective of fully representing the WWPMM material. All our material contains identifiers, the structure is impossible to follow without these. To make things worse, where we have X-refs in the body of the text, rather than in the listed X-ref sections, these still have the identifiers in, although they are now meaningless.

The loss of identitiers in Work Patterns is compounded by the fact they are listed in alphabetical order, not by Work Pattern Group. This means the entire concept of Work Pattern Groups has no visibility on the web-site.

While appreciating that everything is still under development, the number and severity of misrepresentations of the WWPMM material in the web material so far available may be an indication of some underlying faults in the translation process.

Many of the problems appear to centre around the conversion of bullets and indentations

Some examples are:

Regards.

In Analyse impact (formerly ChM.10.20. Analyse impact) there is a spurious change of bullet level half way down the input list. This is continued throughout the entire process.

Throughout almost all of Event Managementhere are spurious blank bullet points.

Throughout all the domain documentation there is an extra layer of indentation at each bullet level This may be deliberate, and thought to improve the clarity but we find it confusing and difficult to check if the level of indentation is correct.

The basic template fo Work Products has completely lost the structure. There is no distinction between headings and subheadings, some sub-headings have disappeared completely.

I hope you will take these comments as intended to be helpful. I know how infuriating it is when people comment on unfinished work in detail, but I thought you might like to review whether any of these problems are caused by flaws in the process. If we can help in any way to clarify our material, please let me know.

Elvse Anchell@IBMUS

### 19/11/99 23:30

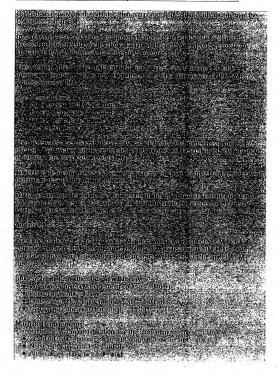
To: cc:	WWPMM Development Team				
From:	Elyse Anchell/Boca Raton/IBM@ibmus 1999 Knowledge Refresh: Remote user testing				
FYI - Yo	ou can go ahe	ad and give it a tryElyse			
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		Scott Wagert			
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Susari vesoriorveinesarizin/melilibarus, prane riorines/sethesdarisin/gatishitus, sue Easterling/Atlania/BM@IBMUS, Darren WHITT/Belgium/IBM@IBMBE, John Milota/Belgium/IBM@IBMBE, Judy Sennett/Mount Pleasant/IBM@IBMUS Subject: 1999 Knowledge Refresh: Remote user testing

We have finally resolved all the server issues and are ready to start the end-user remote testing. Thank you for your patience. We believe you will agree it was worth the wait.

Here is a copy of the course announcement which will appear at GA. This will acquaint you with some of the details of the offering:

# 1999 Knowledge Refresh: An Update for IBM PM Professionals





Click on this link to gain access to -> 1999 Knowledge Refresh: An Update for IBM PM Professionals

You may start the course at any time, enter and exit as often as you wish. This on-line test will run until November 29th.

Everything should be self-explanatory as you start the offering. We are interested in any problems you have connecting to the server or accessing material from your home location. If you encounter any problems, please use the <u>'Feedback'</u> button which appears at the bottom of every page. If for some reason you cannot get far enough to use the Feedback function, please correspond directly to me

Thank you for your participation and your patience as we were ironing out all the last little problems.

Cheers, Scott

## Scott Wagert

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Visit My Organization's Website at: http://w3.lbm.com/services/institute
"Out the token ring, through the router, down the fiber, off a switch, past the firewall,

down the T1, under the bridge, into the ether ... nothing but Net !!"

ITEM 4

---- Forwarded by Liliane Lafuite/France/IBM on 03/11/2004 16:53 ----

Elyse Anchell@IBMUS 24/11/99 22:24

To: WWPMM Development Team cc: David Harris/UK/IBM@IBMGB

From: Elyse Anchell/Boca Raton/IBM@ibmus

From: Elyse Anchell/Boca Raton/IBM@ibmus
Subject: Adding text to footer of WWPMM PDF Files

#### Team -

Since the web version of WWPMM is the official published version, we need to add some text to the PDF version so that people understand that the PDF version is for Development use only and is not intended for distribution.

I propose the following text to be added to the Wordpro/PDF footers -

"Working Copy - For Development Team Use Only - Do Not Distribute"

Please get back to me by end of day Thursday (Nov 25th - Thanksgiving) with your comments,

Once we agree, Therese will rebuild the material and replace the new version on the cafe. At that point we will only distribute the newly labeled documentation.

I understand that the "horse has left the barn" and that there are already numerous versions of the PDF version already in circulation. We are not going to do anything to try and fix those documents that are already in circulation.

Thanks in advance for your feedback - Elyse

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